

Central Intelligence Agency



Washington, D.C. 20505

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Dr. Frank G. Burke
Acting Archivist of the United States
National Archives and Records Service
Eighth Street & Pennsylvania Avenue N. W.
Washington, D.C. 20408

Dear Mr. Burke:

In response to your letter of 27 June 1985 concerning certain Warren Commission Records originated by CIA, officers of this Agency have met with Mr. Marion M. Johnson of the National Archives staff to review classified CIA records which Mr. Johnson assembled. This review was prompted, as you know, by a schedule for such reviews at ten-year intervals, established by the Justice Department; the last having been conducted in 1975. The review conducted was limited to ascertaining that the Agency records identified by the Archives matched those independently identified by the Agency, which they did.

We regret that we must postpone a review of the documents to ensure that the currently withheld portions of the documents are properly exempt from public disclosure pursuant to provisions of Executive Order 12356 and the Freedom of Information Act (FOIA). The CIA is currently involved in three separate FOIA lawsuits defending the propriety of Agency decisions to withhold certain portions of official records concerned with investigative efforts made in connection with the assassination of President John F. Kennedy: Shaw/Allen v. FBI et al., CA-82-0430, Allen v. DoD et al., CA-81-2543, Hoch v. CIA, CA-82-0754. Much of the substantive material and possibly some of the same documents found in the collection held by the Archives are involved in these suits. We believe it prudent to await the outcome of the FOIA litigation before making a substantive review of the material held by the Archives. The judicial determinations could then guide any adjustments or changes to be made in the documents currently held by the Archives. I understand that the FBI proposes to similarly postpone its review.

Dr. Frank G. Burke

I want to express our appreciation for the very effective cooperation of Mr. Johnson with our officers. The Agency shall be in contact with your office at the conclusion of the aforementioned litigation to complete the review of the documents you are holding.

Sincerely,



/s/ James H. McDonald

Harry E. Fitzwater
Deputy Director
for
Administration

DDA:HEFITZWATER: vg (12 Sep 85,)

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